

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

A & F FIRE PROTECTION CO., INC.

Defendant.

CIVIL ACTION NO.
17-CV-04745-DRH-ARL

MOTION TO RESTORE AND SET DEADLINES

Plaintiff U.S. Equal Employment Opportunity Commission (EEOC) moves to restore this matter to active status.

1. The EEOC is the agency of the federal government charged by Congress with interpreting, administering, and enforcing federal employment discrimination laws.
2. As a result of the lapse of appropriations for funding federal government operations as of midnight on December 21, 2018 the EEOC filed a Motion for a Stay. ECF No. 48.
3. On December 27, 2018, an Order was entered granting the EEOC's motion and ordering the EEOC to file a status report when the stay should be lifted. The Order provided that the Court would enter a new briefing schedule after the stay was lifted. ECF Order dated December 27, 2018.
4. Funding for federal government operations was restored on January 25, 2019.
5. The EEOC requests that this matter be restored to active status.

6. Several matters were pending and/or scheduled at the time of the lapse of appropriations.

The parties have conferred and jointly agree to the following proposed schedule:

- (i) EEOC will file its opposition to Defendant's Motion for Reconsideration (ECF No. 45) of the Order on the EEOC's Motion to Compel Discovery (ECF No. 42) by February 11, 2019;
- (ii) EEOC will file any objections to the Report and Recommendation (ECF No. 44) on the EEOC's Motion to Strike Certain Affirmative Defenses (ECF No. 28) by February 11, 2019;
- (iii) EEOC will file its opposition to Defendant's Motion for a Protective Order and to Stay Depositions (ECF No. 46) by February 12, 2019;
- (iv) EEOC will file its opposition to Defendant's Motion for a Protective Order and for Entry of a Confidentiality Order (ECF No. 47) by February 12, 2019;
- (v) All discovery will be complete by April 26, 2019;
- (vi) The parties will take the first steps in the dispositive motion process by May 17, 2019.

7. It is respectfully requested that the Court enter an Order setting a revised briefing and scheduling Order in accordance with the attached proposed Order.

8. The parties respectfully request that the Court reschedule the pre-trial conference, currently set for March 26, 2019, to a date convenient for the Court.

January 29, 2019

Respectfully,

/s/ Rosemary DiSavino

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